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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/556,483 | 04/21/2000 | Kazuaki Iwamura | 05595.0012 | 6376 |

22852 7590 03/15/2004

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
1300 I STREET, NW
WASHINGTON, DC 20005

EXAMINER

BULLOCK JR, LEWIS ALEXANDER

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2126

DATE MAILED: 03/15/2004

11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/556,483

Applicant(s)

IWAMURA ET AL.

Examiner

Lewis A. Bullock, Jr.

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5,6 and 10 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,5,6 and 10 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 5, 6, and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by HUMPLEMAN (U.S. 6,198,479).

As to claim 6, HUMPLEMANN teaches a communication method comprising:
designating a service (via selection a particular home device button) (col. 15, lines 42-46); detecting communication devices (server home devices) capable of communicating with a local communication device (client home device) (col. 15, lines 13-33); acquiring attribute information (capabilities) for the detected communications devices (server home devices), wherein the attribute information includes services capable of being provided by the detected communication devices (col. 15, line 65 – col. 16, line 21); selecting (via the session manager), on the basis of the acquired attribute information (capabilities), one or more of the detected communication devices (server home devices) capable of providing the designated service (home devices having matching capabilities) (col. 15, line 65 – col. 16, line 21); displaying discrimination information (continued activation of the respective device button / deactivation of the respective

device button / GCO's of the home devices that are capable of providing the service) for discriminating the selected communication devices (based on whether the home devices have matching capabilities) (col. 16, line 8 – col. 17, line 15; col. 8, lines 14-28); selecting using the displayed discrimination information (enabled device buttons / invoking a particular GCO of a home device), one or more of the communication devices (home devices) for executing an application (invoking the control application of the home device) (col. 17, lines 16-45; col. 19, lines 10 – col. 10, line 41; col. 8, line 41 – col. 9, line 14); and sending instruction information (commands) for executing the application to the communications device selected for executing the application (control application of the home device) (col. 19, line 10 – col. 10, line 41; col. 8, line 41-58; col. 7, lines 45-53; col. 2, lines 31-47).

As to claim 10, HUMPLEMANN teaches executing a predetermined application (control application of the home device) when instruction information for executing the application (commands) is received from one of the detected communication devices (home device) (col. 19, line 10 – col. 10, line 41; col. 8, line 41-58; col. 7, lines 45-53; col. 2, lines 31-47).

As to claims 1 and 5, reference is made to a device which corresponds to the method of claims 6 and 10 and is therefore met by the rejection of claims 6 and 10 above.

Response to Arguments

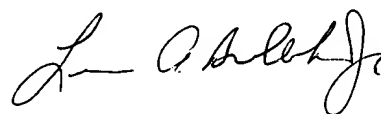
3. Applicant's arguments with respect to claims 1, 5, 6, and 10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (703) 305-0439. The examiner can normally be reached on Monday-Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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